

# GLOBE DECISION JUNCTION STRIKES BRYAN'S BANKING SCHEME RAKED BY COLLEGE EXPERT

**GLOBE**, Sept. 25.—Jungle Nove, of the district court sitting on the case of Porter vs. Wallace, to be handed down at a later date, is of great interest to miners because of its tendency to that it will nullify the requirements of the federal and territorial law to what work shall be deemed sufficient to make an unclaimed mining claim to save the claim from forfeiture.

The federal statute on this subject is as follows: "No such claim located after the tenth day of May, 1872, and until a patent has been issued thereon, not less than one hundred dollars' worth of labor shall be performed or improvements made during each year."

At the trial of the case, the testimony was substantially as follows: The plaintiff, George H. Porter, had worked upon the two claims an average of eight hours a day for fifty-three days, besides transporting supplies and materials; that during this time, he had accomplished no actual working in a width twelve to fourteen feet deep, six to nine feet.

It was conceded by Wallace, a realtor, that the value of the labor, as shown by the actual number of feet of work accomplished, was not sufficient to meet the requirements of the statute, upon the theory that this work could be construed to be performed for \$10 to \$12 a foot.

The plaintiff, on the other hand, contended that, under the diverse conditions, and for the reason that he was compelled to do all the work himself, he could not accomplish more than three or four inches a day, and that, having actually worked fifty-three days and consumed the necessary supplies, he should be entitled to be allowed the value of his work measured by the time he was actually employed in performing the work, together with the cost of the necessary supplies.

The court, upon these facts, held that while the actual work accomplished should be considered in determining whether or not sufficient annual expenditures had been made to hold the claim, it was not the only method of arriving at the determination that the statute did not provide that the one hundred dollars' worth of labor to be performed or improvements made upon a claim during each year should be measured by the amount of labor performed in fact, but rather if one man working over a mining claim labored a sufficient number of days in good faith, for the purpose of performing his claimed labor, to save the claim from forfeiture, he would be entitled to receive pay for his labor for the number of days actually consumed by him in its performance; that any other explanation of the statute would work a gross injustice upon a single claim owner who had no means to employ assistance—this far the reason that it is well known fact that two men working together lay a road or fence can perform three or four times the amount of work that one man, working alone, can perform in the same character of ground.

It must not be supposed from this holding that a claim owner can hold his claim from forfeiture by doing defensive work during a period of days the total of which probably at a day would amount to five, but the meaning of the legislation is that the result of labor performed during the good faith of the owner of the claim and his intention to comply with law and the condition of the labor will not be recognized, unless the work is done for holding the work up to a certain point so far as possible, provided that the work is performed in a reasonable time.

## ANOTHER SMALL BUREAU.

—*From Thurber's office.*

After three days' absence, Gov. Edward C. Smith, president of the State Board of Education, returned to the state capital. He remains here until the opening of session of the Legislature, which is to be convened on October 1st. The new legislature will be seated on the 2nd of October, and the session will last for about two weeks.

## ONE'S HEAD WILL LECTURE TO TEACHERS

—*From Thurber's office.*

One of the features of the annual meeting of the Arizona Teachers' Association at Tucson, November 10, 11 and 12, is to be a lecture by Dr. David Jordan, president of the University of California. Dr. Jordan is a leader of international reputation.

Part of the lecture will be delivered during the day sessions and one in the evening. Superintendent of Schools J. P. Judy, president of the teachers' association, who engaged Dr. Jordan, is confident that the coming session will be the most successful in the history of the association.

**PIKEVILLE, Ariz.**, Sept. 25.—The first

level of the Junction Mine was struck during the past week, and although it has not been found in commercial quantities as yet, the indications surrounding the first find are very favorable for a repetition of the rich strikes made on the higher levels of the mine.

The ore is a sulphide, and was discovered in No. 2 crosscut at a distance of about 125 feet from the station, and it is without doubt a continuation at depth of the large lens of ore encountered on the 1300 foot level several weeks ago, and from which heavy shipments of high grade ore are being made by the company.

The 2,500 gallon low lift pump recently taken from the Briggs has been installed at the 1300 station on the Junction and is now in use.

At the other mines of the district nothing else of an important nature has developed during the week. The subsidence from the various properties continues about the same as in the past few weeks. A total of eight tons of ore is being shipped daily.

The Eagle Mine shaft of the Copper Queen Company has been equipped with cages instead of the buckets that were in use since the beginning of work at that shaft.

Wolverine & Arizona is presenting development work at a lively rate. The Indians in the Indian mine are very favorable toward getting out of shipping quantities. Shippers of ore are now being enumerated.

Shattuck-Arizona continues to pay exclusive attention to exploration and development work.

The Penn Virginia company will probably resume operations on the last of the coming month.

## NAME DELEGATES.

Republicans Select Their List for the Primaries Today.

—*From Saturday's paper.*

A large number of Republicans attended the meeting which was called last night in Assessor Campbell's office. T. E. Campbell, chairman of the county central committee, presided over the gathering and J. M. Aikin acted as secretary. Upon motion, E. S. Clark and D. M. Morrison were appointed a committee to select a list of seven names to be voted for today at the primaries as delegates to the county convention next Saturday. Their report, which recommended the following, was unanimously adopted: T. E. Campbell, E. E. Morrison, P. P. Hart, E. H. Meeks, E. W. Wells, W. S. Norville, E. S. Clark, A. W. Edwards, Leroy Anderson, J. M. W. Moore, Harry Barker, G. T. Joslin, Robert Gray, John K. Bully, J. C. Furey, J. C. Bradbury and G. A. Bras.

This business being transacted and some details arranged, short talks were made by Messrs. Morrison and Clark, as to their observations on their campaign with Cameron in the north, and addressed by Leroy Anderson and T. E. Campbell on the political outlook in the county. The meeting was then adjourned.

—*From Saturday's paper.*

NEW YORK, Sept. 25.—The setting of the sun marks the evening when in the collection of Rockingham, or the Festival of the New Year. This is the beginning of the year 5669 of the Buddhist calendar, which is traditionally supposed to date from the creation of the world. The festival is observed in the Orient and elsewhere, except that the custom observed one hundred years back in the reign of Emperor Gozo, the good father of the ruler of the realm and his successor as nearly with us as the moon, the custom will not be observed, while the season set for holding the festival begins to come to an end.

—*From Saturday's paper.*

—*From Thurber's office.*

Gov. Edward C. Smith, president of the State Board of Education, has been appointed to the Board of Education of the City of Los Angeles, Calif., to succeed Mr. W. H. Bauder, who has been appointed to the Board of Education of the City of San Francisco.

—*From Saturday's paper.*

—*From Thurber's office.*

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**SULPHIDES AT 1,400 FEET**

*By Associated Press.*

LINCOLN, Nebraska, Sept. 25.—The first to be encountered in the 1400 foot level of the Junction Mine was struck during the past week, and although it has not been found in commercial quantities as yet, the indications surrounding the first find are very favorable for a repetition of the rich strikes made on the higher levels of the mine.

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